"THE EFFICACY OF GEOGRAPHICAL INDICATIONS LAW IN INDIA WITH SPECIAL REFERENCE TO PRODUCERS OF MADHYA PRADESH: A SOCIO - LEGAL STUDY"

Synopsis

Submitted for the Degree of Doctor of Philosophy in Law

By

Poorva Jain

Enrolment No.: Y21491006

Supervisor

Dr. Anupama Pandit Saxena

DEPARTMENT OF LAW

DR. HARISINGH GOUR VISHWAVIDYALAYA, SAGAR, (M.P.)

(A CENTRAL UNIVERSITY)

Sagar, Madhya Pradesh, India

2021-2022

CONTENTS

S.No.	Particulars	Page No.
1.	Title	2
2.	Introduction	2
3.	Review of Literature	6
4.	Noteworthy Contribution	12
5.	Research Methodology	14
6.	Expected Outcomes	22
7.	Bibliography	23

TITLE

The Efficacy of Geographical Indications Law in India with special reference to Producers of Madhya Pradesh: A Socio - legal study.

INTRODUCTION

"Intellectual Property is the oil of the 21st century. Look at the richest men a hundred years ago; they all made their money extracting natural resources or moving them around. All today's richest men have made their money out of intellectual property."

- by ***Mark Getty***

According to World Trade Organization, "*Intellectual Property Rights are the rights given to persons over the creation of their minds. They usually give the creator an exclusive right over the use of his or her creation for a certain period of time*." [1]

The main area of Intellectual Property Rights (IPRs) is covered under TRIPS[2] Agreement of WTO (World Trade Organisation). It is to be noted that TRIPs Agreement is an annex 1C of the Marrakesh Agreement, establishing the World Trade Organization (WTO), signed in Marrakesh, Morocco. The Agreement is binding on all the member countries of WTO as per Article II (2) of the WTO Agreement. It is the most comprehensive multilateral agreement on Intellectual Property Rights, it is signed on 15th April 1994 and came into force on 1st January 1995**.** The Agreement attempts to establish a global harmonisation of Intellectual Property (IP) protection and aims at protecting these rights to reward originality and creativity of an individual and /or group.

The protection of IP is imperative, as it enable people to earn recognition and financial benefits for their creations and inventions. According to the nature of Intellectual Property Rights (IPRs), they are divided into two broad categories:

1. Industrial Property Rights – which includes Patents, Trademarks, Trade Designs, Geographical Indications, Trade Secrets, etc.
2. Copyrights and Neighbouring Rights.

[1] World Trade Organization (Official Website), https://www.wto.org/english/tratop_e/trips_e/intel1_e.htm , last visited July 1.,2023

[2] **TRIPS**- Trade Related Aspect of Intellectual Property Rights.

Geographical Indications

In India, Geographical Indications Act, 1999 has defined geographical indication as, *"in relation to goods, means an indication which identifies such goods as agricultural goods, natural goods or manufactured goods or originating, or manufactured in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristic of such goods is essentially attributable to its geographical origin and in case where such goods are manufactured goods one of the activities of either the production or processing or preparation of the goods concerned takes place in such territory, region or locality, as the case may be."*[3]

The researcher in this research focuses on Geographical Indications (GIs) which is one of the most emerging and challenging Intellectual Property Right (IPR). The researcher mainly concerned about the legal protection of Geographical Indications in India[4], especially with special reference to the legal protection of GIs in Madhya Pradesh (MP). Geographical Indications (GIs) are one of the newest in the domain of Intellectual Property (IP).

Recently, MP got 6 (six) new GI tagged products, this led the number of GI- tagged products to 19 (nineteen) in the state, although MP has greater potential to get more registered GIs. Nowadays most of the government agencies are working to promote the products based on traditional knowledge and geographical characteristics, but still there is lack of awareness among producers, that is why promotion and protection to GIs is a challenge in India. The consumers are also not aware about the system of GI registered products and often buy duplicate products due to ignorance.

The importance of GIs has put on the forefront in international trade, because socio-economic and development potentials are associated with registered GIs. Through GI registration of the product, producers get right to forbid any unlawful use, usurpation or fake use of name or sign on a product which is not from GI designated area or which does not have unique qualities that guaranteed through GI protection. All the way through GI recognition, consumers also come to recognize not merely geographical description of products but also,

[3] The Geographical Indications of Goods (Registration and Protection) Act,1999, Sec.2(1)(e), No. 48, Act of Parliament, 1999 (India)

[4] Geographical Indications are protected in India by the exclusive Act known as, "The Geographical Indications of Goods (Registration and Protection) Act, 1999" (48 of 1999) w.e.f September 2003"

they can identify a particular firm or group of producers that possess qualities and reputation in production of peculiar or unique GI products.

Research Problem

It is widely accepted that India has greater scope for GIs, however, there are some issues and challenges to enforce GI rights due to its collective nature. As India is in the nascent stage of GI protection as compared to European Union, therefore, it is essential to get aware about GI and enforcement related challenges. India has its own "sui generis" legislation on GI, which was enacted in the year 1999[5] and made effective in the year 2003, which still has various loopholes. The legislation is inspired by the European law on GI, but still European countries have registered over 15,000 GIs and India still standing on 480.

The problem in the legislation arises is the genericide of the products and the rigid procedure of GI filing and granting process. Other inadequacies in the Act includes no effective enforcement mechanism at domestic as well as export markets, there is no agency available to monitor post-GI mechanism in India and last but not the least, the Act does not lay much emphasis on inspection and monitoring mechanism for GI protection. Due to which competitors try free ride over its reputation. However, this leads to loss of trust on the brand and mislead consumers, in all that process, the one who lose most is actual right holder i.e., producer.

Another problem is that the developing countries are in loss as they were not aware about the concept of protecting their rich bio-reserve, traditional knowledge, and geographically enriched products by way of GI and become the victims of bio-piracy by big giant companies and developed nations through patents and trademark. On the other side, disputes between the states regarding registration of GIs are greatly evident these days, as there is no legal clarity over the it and ultimately exclusive GI rights of producers are affected. Therefore, it is required to understand GI properly to reduce the issues and challenges and to use GI towards development of GI designated area.

Hence, through research study, it is attempted to examine positive scope and challenges for registered GI products as well as prospective GIs in the state of Madhya Pradesh

[5] The Geographical Indications of Goods (Registration and Protection) Act, 1999, No. 48, Act of Parliament, 1999 (India)

(MP) through proper sampling and case studies of registered GIs in MP. Though, selected samples and case studies are confined to the state of MP, but the study will generalise the challenges, positives, and the expected outcome in a larger context. Here, analytical study is pursued to understand the challenges of GIs through empirical evidences which were collected from producers of MP.

Hypothesis

The researcher has formulated the following hypothesis: -

The existing GI laws in India are insufficient to protect the exclusive rights of producers, they lack post-GIs monitoring and grassroot level enforcement mechanism that affect the producers to avail exclusive rights.

Aims and Objectives

Proposed research study is an attempt to understand scope and challenges for the protection of GIs and how GI can support in national development. Further, as it is expected that GIs are contributing towards development of designated region. There are many ways of understanding GIs, and one of them is through legislation, which may vary from one country to another and after protection through legislation its contribution for trade and development may also vary. In this sense, the specific importance of the proposed research work is to analyse scope and challenges for GIs towards development of GI designated area. Views in this perspective, following are the objectives of the research undertaken are as follows as under: -

i. To analyse the legal protection of GI in India, specifically in the state of MP, to understand the challenges that exists in the registration and post-enforcement of GI rights and to create awareness about GI protected products and GI law among stakeholders.
ii. To study the actual GIs as well as potential GIs of MP and challenges associated with the legal framework of GIs in MP and to formulate a grassroot level or local machinery model for GI recognition and inspection cum monitoring system.

Limitations

As the subject matter is very vast, the research is limited to the state of Madhya Pradesh. By keeping the constrains of time, funds, territorial area, and the methodology chosen, the researcher will not be able to collect the primary data by own, rather the scholar will take help from various authorities (government and non-government), legal experts, government websites and reliable sources.

The researcher will collect the data from the producers of registered GIs in MP, the data collected is subjective in nature.

REVIEW OF LITERATURE

There are numerous studies on GI and its relating issues. The following are some of them that highlighted as literature review, that helped the researcher in the preliminary stage to begin with her research work:

IPRs provides exclusive rights to the creators or inventors of their creation or property, in order to reap commercial benefits from their creative efforts or reputation. The significance of IPRs for business was studied by **(Unnisa, 2022).**[6]

Jajpura, Singh and Nayak (2017)[7] analysed the importance of IPRs in Indian context. India stood at 29th position among 30 countries in IP index around the globe (2015 report). In this study, all the IPRs have discussed along with their characteristics. The IPR is a basic necessity to be a part of local as well as global competitive trade as without dissemination of IPR knowledge and implementation, creating the innovation environment is really impossible.

Commercialization in IPR is linked with the competition and critical business concerns **(Prajapati & Khan, 2022)**[8]**.**

Roy and Sarma (2022)[9] analysed the concept of social media influencers, protection with regard to the contents and the need for it under the IPR regime. The authors through this papers

[6] Kausar Unnisa, *Intellectual Property Rights and its significance for Business,* IJCRT, 562-566 (2022)
[7] Lalit Jajpura, Bhupinder Singh & Rajkishore Nayak, *An Introduction to Intellectual Property Rights and their Importance in Indian Context,* 22 JIPR, 32-41 (2017)
[8] Akshit Prajapati & Anam Khan, *Commercializing Intellectual Property Rights & Significance of Competition Laws,* 1 NLUA JIPR, 166-185 (2022)
[9] Banashree Roy & Nisha Sarma, *Understanding the importance of Intellectual Property for Content Creators and Social Media Influencers*, 2 NLUA JIPR, online (2022)

try to throw light on the implications of Intellectual Property Law upon these creators in the present digital world and also attempt to put forward some suggestions in this regard.

The IPRs are not fully secured, as the threat of biopiracy is always there. Due to the biotechnological development, biopiracy can be easily done without proper protection to actual rightsholders through IPRs. (Delgando, 2002)[10]

Traditional Knowledge innovations are protected under various heads like Patents, GIs, Trademark, etc. **(Ravindra, 2022)[11]**

Chakraborty and Rodricks (2022)[12] analysed the traditional knowledge that has been protected under the GI Act in India encourages the indigenous and tribal peoples to explore the limited potential of GI protection to their ancestral knowledge. It also assists the legislature in reconsidering certain aspects of the protection of the Traditional Knowledge Bill, 2022.

Koul (2020) [13] in the empirical study titled *"Traditional Knowledge and Geographical Indications: For a meaningful Socio-economic amelioration"* has explored the social as well as economic conditions and constrains that are associated with the GIs in India. Traditional knowledge can be protected in many ways and one of the most prominent methods is protection by way of GIs. In India, various Traditional Knowledge have been registered and protected through GI, for example- Gond Paintings.

S. Kariyanna (2021)[14] studied about the indigenous and local communities which cherish traditional knowledge as a part of their very cultural identities maintaining the distinct knowledge system that give rise to traditional knowledge. It can be vital for their future well being and sustainable developments and for their intellectual and cultural identities. Traditional knowledge can be preserved through GI protection and it the most effective way to preserve the traditional knowledge of the indigenous communities.

---

[10] G.C. Delgando, *Biopiracy and Intellectual Property as the basis for Biotechnological Development in the case of Mexico*, 16 (2) IJPCS, 297-318 (2002)

[11] Ravindra Singh, *Traditional Knowledge in North East India: A Perfect Case for Sui Generis Legislation*, 1 NLUA JIPR, 186-200 (2022)

[12] Shambhu Prasad Chakraborty & Abhishek Rodricks, *Protection of Traditional Knowledge in India by sui generis laws of Geographical Indications and The Protection of Traditional Knowledge Bill*, 2022, 13 (2) IJLJ,114-127 (2022)

[13] Hurmat Koul, *Traditional Knowledge and Geographical Indications: For a meaningful Socio-economic amelioration* (2020) available at: https://heinonline.org/HOL/LandingPage?handle=hein.journals/injlolw3&div=62&id=&page=

[14] Kariyanna K.S, *A Study on Geographical Indications as a Tool of protection of Traditional Knowledge*, 8 (5) IJIRT, 298 (2021)

Lukose (2007)[15] analysed the history of legal recognition to GI and also traces legal justification to recognize GI as an IPR and analysed the existing and scrutinize the protection clause under Article 23 of TRIPS. The uneven level of protection under the divergent legal system of various countries and the double standard of protection adopted by TRIPS are posing uncertainties in the international legal regime for the protection of GIs.

GIs law in India has a sui generis origin and is in the infant stage. It requires much more reforms to be compatible with the international standards and would be able to protect the GIs of the country. **(Srivastava, 2003)**[16]

Patel and Zala (2021) [17] study the present scenario of GIs in India and has applied the doctrinal research for the exploration of the concept of GI laws in India. It provides a comparative analysis of the secondary data of GI products registered in India and in other countries with the help of carefully crafted charts and tables. India stood in the least GI acquired countries and on the other hand China is among the top list, so it is not a correct explanation that the overpopulation is a hinderance in the application of GI regime in India, rather it is the will of the government to get their resources and culture protected from unauthorised usage.

The importance of GIs regime is important for the development of local area. There is direct connection between the local development and the GIs, the reason is that GIs are usually found in the remote areas because in urban areas mostly the products are used is derived from industries whereas, in remote areas mostly the people rely on the sustainable development and promote their local manufactured products. (**Giua, 2021)** [18]

Walia and Kumar (2020)[19] analysed the GI Act in view of concept of GIs and history of GIs. The paper analysed the various problems faced by producers post the registration process and the GI remains somewhat symbolic in nature. There are various products that not get GI protection just because of Section 9 of GI Act i.e., generic product categories. There are various

[15] Lisa P Lukose, *Rationale and Prospects of the Protection of Geographical Indications: An Inquiry*, 12 JIPR, 212-223 (2007)
[16] Suresh Srivastava, *Geographical Indications and legal framework in India*, Economic and Political Weekly, 4022-4033 (2003)
[17] Rajeev M. Patel & Lavji N. Zala, *Geographical Indications in India: Present Scenario*, Digital Commons (e-journal) (2021) https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=9288&context=libphilprac and https://www.researchgate.net/publication/350092547_Geographical_Indications_in_India_Present_scenario
[18] Mara Giua, *Geographical Indications, and local development: The strength of Territorial Embeddedness* (2021), Taylor & Fransis Online, Volume 56 (2022), available at: https://doi.org/10.1080/00343404.2021.1946499
[19] Yashna Walia & Shreya Kumar, *The Success, and failures of GI Tag in India: A Critical Analysis*, 1 E-Journal of Academic Innovations and Research in Intellectual Property Assets (2020)

other factors such as lack of proper guidance, not able to define the uniqueness of the product, objections by other states, etc. The importance of GI in India is extremely high, with a treasure trove of GIs in agricultural and non-agricultural sectors. The Act is at initial stage as its awareness among producers and traders is really low in terms of their social and economic benefits significance.

Rathod (2023)[20] analysed the challenges of GI regime in India with the help of pie diagram and charts based on secondary data collected. There are various challenges to GI and can be categorised into various heads such as legal challenges, economic and technical challenges, social challenges, and geographical challenges. Through proper analysis of the law on GIs and the comparative analysis of other countries, these challenges can be tackled easily.

There is an important relationship between the GIs and the environment sustainability. GIs are the important source for the environmental labelling, as it labels the product that secure economic rights at the same time protect the environment from unnecessary human interventions. **(Grote, 2009)**[21]

Milano and Cazella (2021)[22] studied about the relationship between GIs and environmental sustainability, based on an integrated review of scientific literature. The results contribute greater understanding of GIs as complex tools for the promotion of sustainable territorial development. The evidence found corroborates the perception that, although the differentiation of products through GIs was not originally conceived as an environmental tool, this procedure can play a positive role for environmental conservation.

Yuvasri and Yamuna (2022)[23] studied about impact of GI on agriculture as GI are critical tool for identifying and preserving intellectual property rights associated with agriculture and food items that originate in certain geographic locations. The authors states that in order to ensure that food items that are historically produced in certain regions are not subjected to GI labelling, they should not be manufactured in another region because they will not be assigned to food items that are easily replicated over the world.

[20] Shilpa Rathod, *Challenges posing to Geographical Indications in India*, 1 IPR Journal (2023)
[21] U. Grote, *Environmental Labelling, protected Geographical Indications and the interest of Developing Countries*, 10 ECJILT, 94-110 (2009)
[22] Marja Zattoni Milano & Ademir Antonio Cazella, *Environmental effect of geographical indications and their influential factors: A review of the empirical evidence*, 3 Science Direct (2021)
[23] S.Yuvasri and N. Yamuna, *GI and Impact on Agriculture*, 1 NLUA JIPR, 136-152 (2022)

Vats (2016)[24] elaborates the factors thar are helpful in rural development through GIs. The study indicates that, under appropriate conditions, GIs can contribute to development in rural areas. There are several benefits of GIs, which include employment, good governance, environment protection, culture preservation, social relevance, etc.

GIs are great medium for the acceleration to "Vocal for Local." It will be crucial in raising awareness for the local campaign. **(Aggarwal, 2022)**[25]

Bhadauria (2018)[26] worked on a case study of 'Chanderi Sarees' and its protection as GIs. In this paper, the author has identified various factors that are likely to predict the behaviour or characteristics or uniqueness of Chanderi Sarees in adopting a GI certification in general. It highlighted the findings of the study, about positive effect, and lacunas after the registration of Chanderi Sarees as GI.

Jain (2009)[27] analysed the perspective of South-Asian countries towards GIs. IPRs regime in India, Sri Lanka and Pakistan are in their infancy, while Afghanistan, Nepal and Bhutan are very small players in world trade. South Asian countries have potential and should equip their IPR regimes to effectively protect the reputation of their intrinsic qualities.

Crescenzi and Filippis (2022)[28] explores the impact of GIs that identity and endorse agri-food products which are strictly embedded within the territory from which they originate. Rural municipalities with GIs experience population growth and economic reorganisation towards non-farming sectors, which frequently involve higher value-added activities. Italy is an excellent case study for high-quality agri-food products: the intrinsic relation between Italian agri-food products and their regions of origin is so internationally recognised that the country is one of only a few in Europe with agricultural territories designated as United Nations Educational, Scientific and Cultural Organisations (UNESCO) World Heritage Sites. Italy is the European country with the highest number of GI designations: 299 foods and 526 wines;

[24] Naresh Kumar Vats, *Geographical Indication – The Factors of Rural Development and Strengthening Economy*, 21 JIPR, 347-354 (2016)
[25] Pooja Aggarwal, *A Study of the Impact of Geographical Indications in Indian Context: An Acceleration to Vocal for Local*, 8 EPRA IJMR, 63-73 (2022)
[26] Sanjiv Singh Bhadauria, *Geographical Indications: A Case Study of Chanderi Sarees*, IJCRT, 852-853 (2018)
[27] Surbhi Jain, *Effects of the Extension of Geographical Indications: A South Asian Perspective*, 16 APDJ, 65-86 (2009)
[28] Riccardo Crescenzi, Fabrizio De Filippis, Mara Giua & Cristina Vaquero Pinerio, *Geographical Indications and local development: The Strength of Territorial Embeddedness*, 56:3 Journal of the Regional Studies Association, 381-393 (2022)

the total agri-foods GI turnover is around 16 billion Euros, with 3.5 billion Euros from the wine sector.

Putri, Putri & Pandjaitan (2023)[29] discussed about the challenges of GIs in Indonesia. Indonesia has sui generis legislation for GI protection and is a method for promoting Indonesia's distinctive geographically related products in the international markets. The country has 98 registered GIs as on January 22, with 92 Indonesian and 6 international products. The problems highlighted in Indonesia are similar to the problems existed to GIs in India.

Bagade and Mehta (2014)[30] studied the position of GI law in India and challenges associated with it. Mostly the qualities and characteristics of certain goods attributable to some geographical locations and reputable to "as produce of certain region" come under Geographical Indications (GIs). The source for the Gi law is derived from TRIPS agreement – Article 22 prominently. The requirement for the protection of GI is to safeguard the exclusive rights of producers and the geographical reputation associated with the product. India has its own law on GI which have the pre-determined procedure but still present some challenges that needs attention.

Ngokkuen and Grote (2012)[31] discussed about the challenges and opportunities for the protection of GIs in Thailand. Most of the developing countries have similar problems in GI regime. There are number of challenges associated with GIs as a tool to protect genetic resources in Thailand. Two major challenges are highlighted in this study, namely the use of GI certificates versus patents and regional trade agreements along with the TRIPS Agreement. Both challenges are explained by drawing on the case study of jasmine rice. The challenge for GI protection would therefore increase to a greater extent not only for GI protection in Thailand, but also for the whole GI protection system under TRIPS. Hence, a comprehensive approach with a bundle of complementary legal, non-legal and voluntary mechanism, such as GI registration, currently serves as the best solution for enhanced GI protection.

[29] Rai Wierma Putri, Yunita Maya Putri & Dorothy R. H. Pandjaitan, *Challenges of Geographical Indication in Indonesia: A Study from Lampung Province*, ASSEHR, 870-883 (2023)
[30] Shashikant B Bagade & Deven B Metha, *Geographical Indications in India: Hitherto and Challenges*, 5(2) RJPBCS, 1225-1239 (2014)
[31] Chuthaporn Ngokkuen & Ulrike Grote, *Challenges and Opportunities for protecting Geographical Indications in Thailand*, 12(2) Asia-Pacific Development Journal, 93-123 (2012)

NOTEWORTHY CONTIBUTIONS

SPECIAL MENTION FOR THEIR INVALUABLE CONTRIBUTION: -

Padma Shri Rajni Kant[32] **–** a GI expert from Kashi (Varanasi), also known as the GI Man of India, is instrumental in getting Geographical Indications certificate to 59 goods from 20 states of the country. A Padma Shri Awardee has been working for the last 25 years towards the upliftment of the poor and backward sections which mainly comprises of handicraft makers and artisans. Through his organization Human Welfare Association (HWA), Varanasi, he has brought a new lease of life to their diminishing status along with taking up various other cause.

Ganesh Hingmire[33] **–** Prof. Ganesh Hingmire is an Advocate and is a renowned IP Enthusiast and a winner of two consecutive National Intellectual Property Award in 2015 and 2016 given by Ministry of Commerce, Government of India. He has worked on 30 GI's out of which 26 are registered, His contribution to registering Agricultural GI is more that 25% to total Agricultural GI registered in India.

Padma Sri Durgabai[34] – Bhopal based Gond artist Durgabai Vyam's nature inspired art and culturally-rooted motifs have gained national and international acclaim, earning her the prestigious Padma Sri in 2022. After this recognition, Gond Painting got GI tagged in the same year in 2022.

CONTRIBUTION THROUGH THEIR STUDY: -

Kumar (2019)[35], worked on the economic benefits of Geographical Indications along with the legal perspective of GI in International law and other countries as well as the law of GI In India. The study has discussed one case study of Darjeeling Tea with the view to discuss the economic benefits and the legal protection as provided under GI in India.

The research work provides holistic view of GI in India but confined to economic benefits. The area of the research is whole India and compared the legal protection of India with other countries. It has discussed the discrimination of GI provisions between

[32] Binay Singh, *This Rajni Kant has brought a GI revolution to handicraft,* Times of India (Sept. 14, 2022, 07:55 IST), https://timesofindia.indiatimes.com

[33] GMGC, https://gmgc.co.in/prof-ganesh-hingmire/ (last visited on Nov. 30, 2023)

[34] Vogue India, https://www.vogue.in/culture-and-living/content/padma-shri-awardee-durgabai-vyam-sees-the-world-in-stories-folk-art-gond (last visited on Oct. 31, 2023)

[35] Ashwini Kumar, *Economic benefits of Geographical Indications*, PhD – 2019, Banaras Hindu University (Faculty of Law), available at: http://hdl.handle.net/10603/383943

developed and developing countries. But for the research gap of this research is that the research work only provides a descriptive and analytical analysis on the law on GI in India and follow the doctrinal methodology only and examine the existing law on GI, but has not suggest the mechanism and changes in law which are required for the better protection of GI in India. The researcher has not discussed the legal protection and prospects of GI in Madhya Pradesh, rather it has discussed exclusively the existing law and economic benefits without suggesting any legal changes and prospects.

Naik (2014)[36], the author has incorporated the doctrinal research methodology coupled with exploratory and comparative study approach. The study has discussed the current legal mechanism of GIs protection in India and compared it with EU (European Union) and US (United States). The main focus of this study is to analyse the implementation of GI law in the state of Karnataka.

The research work provides a wider outlook rather than to confine it to the ambit of Indian legal system only. The research gap of this work is that it is done in the year 2014, that means only one decade has been elapsed for the implementation of GI Act in India. Today the perspective of GI in India and initiative that has been taken by the government has changed drastically. And it is important, that the new research should be conducted in the field of GI legal mechanism of India and comparison must be analysed with at least five top rated countries that have registered more GI products than India.

Gonela (2011)[37], in this research work, the research has conducted a qualitative, analytical, and comparative approach towards GIs protection in the state of Andra Pradesh. The main loophole in this study is that the study does not provide the broader perspective and policy for whole India rather it is focused on the law and situation of Andra Pradesh state only. The study interprets the international agreements and documents relating to GIs and the implementation of those in India. The study does not depict the futuristic approach towards GI regime in India.

Sarmah (2017)[38], in this research work, the researcher has feasibly created the whole research with the perspective of GI as a means in protecting indigenous people rights. The study was

[36] Indra G. Naik, "*Legal Protection of Geographical Indications: A Study relating to the prevailing rules and their enforcement in Karnataka*," PhD – 2014, Bangalore University (Department of Law) available at: http://hdl.handle.net/10603/148592

[37] Rajendra Mohan Gonela, *Geographical Indications- Law and Policy perspective: A Case Study with reference to Andra Pradesh*, PhD – 2011, Acharya Nagarjuna University (P.G. Department of Legal Studies & Research), Andra Pradesh, available at: http://hdl.handle.net/10603/123447

[38] Smita Sarmah, *Role of Geographical Indication in Securing Rights of the Indigenous Peoples in Assam- An Analytical Study*, PhD- 2017, Gauhati University, available at: http://hdl.handle.net/10603/224897

conducted in the year 2017, when GIs protection regime was transforming and overwhelm with providing protection to traditional knowledge of indigenous people. The study is only focused on the traditional knowledge and not covered the geographically originating products. The study only provides information about the state of Assam. The study is helpful for understanding the traditional knowledge perspective of GIs and provide guidance in conducting further research in that area. The loophole in this study is that it does not provide the feasible mechanism for the upliftment of indigenous people associated with the GIs.

Research Gap: - From the above review of literature, it is clear that legislation of GIs has certain limitations and challenges that are creating hindrance in the protection of producers' right. From above literature review, it is very clear that there are very limited studies conducted to know the actual problems faced by the actual producers of GI registered products. Empirical data about their problems and difficulties in legal implementation are not available because the producers are not aware about their rights granted by GI and because of these reasons producers of GI products are neglected. So, it is need of time to study the legislative problems faced by the producers of GI products and the mechanism of post-GI regime. By this study we are able to know the ground realities about the practices followed during GI registration and it will help the government to know the problems of producers and monitoring system of GI. This study will help us to know about the adaptability of grassroot level monitoring and assessment machinery, as this study will provide a proper layout for the same.

RESEARCH METHODOLOGY

The research methodology used by the researcher is the combination of the doctrinal and empirical methods to find out the factual and ground reality. It includes various secondary sources such as bare acts, books, journals, e-materials, newspapers, reports of the Law Commission, etc. An empirical study through questionnaire, interview, case study, focused group discussions, and online mode for obtaining the required data from producers and other stakeholders.

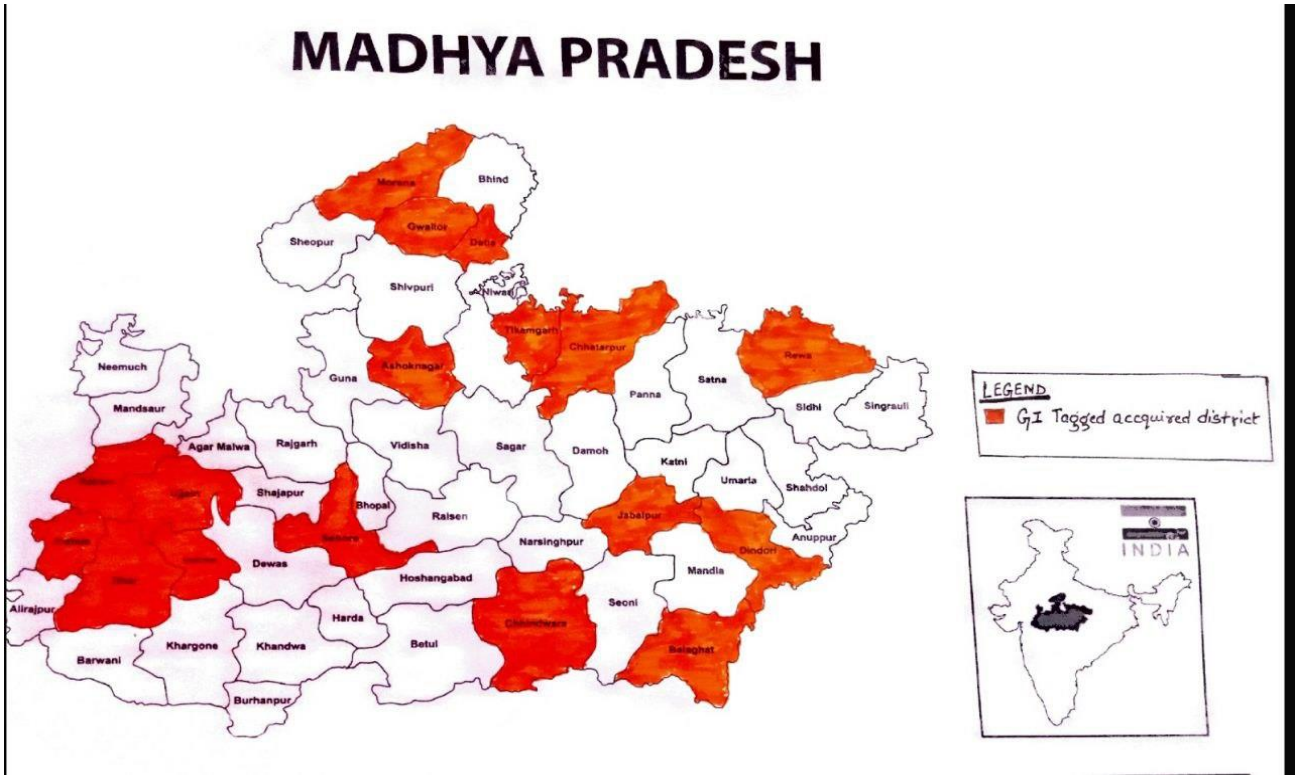
The area of study are organisations, these are "registered authorised user" of products that got GI tagged in Madhya Pradesh i.e., 19 and under which there are various number of producers, from whom the data will be collected. To find out the desired outcome of the study

it has become mandatory to approach the producers directly, to sense the struggle they are making to preserve their products from unfair trade practices and in enjoying exclusive economic-legal rights . To extract information from the respondents, the researcher will employ different techniques such as:

a. Interview: The researcher will conduct a guided conversation between a researcher and respondent.
b. Questionnaire: - The questionnaire will be prepared by the researcher on which the answers will be sought through online or offline mode, as convenient. It consists of a number of questions printed or typed in a definite order on a form or set of forms.
c. Schedules: - In this enumerator along with schedules, go to respondents, put them the questions from the proforma in the order the questions are listed. The researcher or the guided enumerator, as convenient will personally go to the respondents to collect first-hand data.
d. Case Study: - The researcher will collect the data through case study of concerned persons.
e. Sampling: -
   - **Sample for the study** – Purposive Sampling
   - **Universe of the study** – The present study will be carried out on the GI products of MP. In MP, there are 19 (nineteen) GIs.

S.No.	Name of the GI tagged product	District to which GI product is associated (in MP)	Year of GI tagging
1.	Chanderi Sarees	Ashoknagar	2005
2.	Leather toys of Indore	Indore	2008
3.	Bagh Prints	Dhar	2008
4.	Tikamgarh and Datia Bell Metalware	Tikamgarh and Datia	2008
5.	Maheshwar Sarees & Fabrics	Indore	2012
6.	Nagpur Orange	Chhindwara	2014
7.	Ratlami Sev	Ratlam	2014

8.	Kadaknath Black Chicken	Jhabua	2018
9.	Chinnor Rice	Balaghat	2021
10.	Mahoba Desawari Paan	Chhatarpur	2021
11.	Morena Gajak (Sweet)	Morena	2022
12.	Rewa Sunderja Mango	Rewa	2022
13.	Gond Painting of Dindori	Balaghat/Dindori	2022
14.	Sharbati Gehu	Sehore	2022
15.	Wrought Iran Craft of Dindori	Dindori	2023
16.	Ujjain Batik Print	Ujjain	2023
17.	Gwalior Handmade Carpet	Gwalior	2023
18.	Waraseoni Handloom Saree & Fabrics	Balaghat	2023
19.	Jabalpur Stone Craft	Jabalpur	2023



- **Sample Frame** – The 19 (Nineteen) GI organisations in MP.

S.No.	ORGANISATIONS / REGISTERED PROPRIETOR	GI PRODUCT
1.	Chanderi Development Foundation, MP	Chanderi Sarees
2.	Development Commissioner (Handicraft), Ministry of Textiles, Government of India, New Delhi	Leather toys of Indore
3.	Development Commissioner (Handicraft), Ministry of Textiles, Government of India, New Delhi	Bagh Prints
4.	Development Commissioner (Handicraft), Ministry of Textiles, Government of India, New Delhi	Tikamgarh and Datia Bell Metalware
5.	Maheshwar Hathkargha Vikas Samiti, Maheshwar, Khargon, MP	Maheshwar Sarees & Fabrics
6.	Dr. Panjabrao Deshmukh Kirshi Vidyapeeth, Akola, Maharastra	Nagpur Orange
7.	Ratlami Sev Evam Namkeen Mandal, Ratlam, MP	Ratlami Sev
8.	Gramin Vikas Trust, Shiv Villa, Jhabua, MP	Kadaknath Black Chicken
9.	Balaghat Chinnor Utpadak Sahkari Samiti Maryadit, Balaghat, MP	Chinnor Rice
10.	Chaurasiya Samaj Sewa Samiti, Mahoba, UP	Mahoba Desawari Paan
11.	Morena Gajak Nirmata Association, Morena, MP	Morena Gajak (Sweet)
12.	Gofarm Producers Company Ltd, Rewa, MP	Rewa Sunderja Mango
13.	VANYA, Tribal Affairs Department, Govt. of MP & Tejaswani Mekasuta Mahasangha Gorakhpur Samiti	Gond Painting of Dindori

14.	Reva Farmers Producers Company Ltd., MP	Sharbati Gehu
15.	Sant Ravidas Hasthhshilpa Evam Hathkargha Vikas Nigam Limited, Bhopal, MP	Wrought Iron Craft of Dindori
16.	Sant Ravidas Hasthhshilpa Evam Hathkargha Vikas Nigam Limited, Bhopal, MP & Deen Dayal Mahila Rangai Chappai, Silai, Kadai Bahudesiya Antoydaya Sahkari Sanstha, Ujjain, MP	Ujjain Batik Print
17.	Sant Ravidas Madhya Pradesh Hasthshilp Evam Hathkargha Vikas Nigan Limited, Bhopal, MP & Carpet Development Society, Gwalior, MP	Gwalior Handmade Carpet
18.	Sant Ravidas Madhya Pradesh Hasthshilp Evam Hathkargha Vikas Nigan Limited, Bhopal, MP & Vikas Bunkar Sahkari Samiti Maryadit, Balaghat, MP	Waraseoni Handloom Saree & Fabrics
19.	Sant Ravidas Madhya Pradesh Hasthshilp Evam Hathkargha Vikas Nigan Limited, Bhopal, MP & Bhedaghat Stone Craft Producer Company Limited, Jabalpur, MP	Jabalpur Stone Craft

- **Sample Size** – 3 producers from each organization = 57 (according to the range of manufacturing – Large, Medium, and Least)

S.No.	**NAME OF THE ORGANISATION AND GI PRODUCT**	**MANUFACTURERS**
1.	Chanderi Development Foundation, (**Chanderi Sarees)**	• Pramod Kumar Koli, Rishav Handloom Chanderi Saree, Chanderi, M.P.

		• Hariom, Sireya Handloom, Chanderi, M.P. • Orio Handloom Chanderi Saree, Suits & Fabrics, Chanderi, M.P.
2.	Development Commissioner (Handicraft), Ministry of Textiles, Government of India, New Delhi (**Leather toys of Indore)**	• Shri Aditya, Chief Artisan GI Panchayat, Indore • Communication in process
3.	Development Commissioner (Handicraft), Ministry of Textiles, Government of India, New Delhi (**Bagh Prints)**	Communication in process
4.	Development Commissioner (Handicraft), Ministry of Textiles, Government of India, New Delhi (**Tikamgarh and Datia Bell Metalware)**	• Ashok Kumar Soni, Bell Metal Craftsman, Ahok Handicraft, Raj Mahal Road, Tikamgarh, M.P. • Devkinandan Soni, Soni Mohalla Khargapur, District Tikamgarh, M.P. • Communication in process
5.	Maheshwar Hathkargha Vikas Samiti, Maheshwar, Khargon, MP (**Maheshwar Sarees & Fabrics)**	Communication in process
6.	Dr. Panjabrao Deshmukh Kirshi Vidyapeeth, Akola, Maharastra **(Nagpur Orange)**	Communication in process

7.	Ratlami Sev Evam Namkeen Mandal, Ratlam, MP **(Ratlami Sev)**	• House of Ratlam Foods Pvt Ltd., Ashirwad Power House Road, Ratlam, MP • Communication in process
8.	Gramin Vikas Trust, Shiv Villa, Jhabua, MP **(Kadaknath Black Chicken)**	• Jhabua Kadaknath Poultry Farm, Jhabua, MP • Jishan Kadaknath Poultry Farm, Jhabua, MP • Communication in process
9.	Balaghat Chinnor Utpadak Sahkari Samiti Maryadit, Balaghat, MP **(Chinnor Rice)**	Communication in process
10.	Chaurasiya Samaj Sewa Samiti, Mahoba, UP **(Mahoba Desawari Paan)**	Communication in process
11.	Morena Gajak Nirmata Association, Morena, MP **(Morena Gajak (Sweet))**	• Kamal Gajak Bhandar, Morena, MP • Gopi Gajak Bhandar, Morena, MP • Raju Gajak Bhandar, Morena, MP
12.	Gofarm Producers Company Ltd, Rewa, MP **(Rewa Sunderja Mango)**	Communication in process
13.	VANYA, Tribal Affairs Department, Govt. of MP & Tejaswani Mekasuta Mahasangha Gorakhpur Samiti **(Gond Painting of Dindori)**	• Padma Sri Durgabai (Awarded in 2022) • Japani Shyam • Padma Sri Bhajju Shyam (Awarded in 2018)
14.	Reva Farmers Producers Company Ltd., **(MP Sharbati Gehu)**	Communication in process
15.	Sant Ravidas Hasthhshilpa Evam Hathkargha Vikas Nigam	Communication in process

	Limited, Bhopal, **(MP Wrought Iron Craft of Dindori)**	
16.	Sant Ravidas Hasthhshilpa Evam Hathkargha Vikas Nigam Limited, Bhopal, MP & Deen Dayal Mahila Rangai Chappai, Silai, Kadai Bahudesiya Antoydaya Sahkari Sanstha, Ujjain, MP **(Ujjain Batik Print)**	Communication in process
17.	Sant Ravidas Madhya Pradesh Hasthshilp Evam Hathkargha Vikas Nigan Limited, Bhopal, MP & Carpet Development Society, Gwalior, MP **(Gwalior Handmade Carpet)**	• Khandelwal Carpets, Gwalior, MP • Communication in process
18.	Sant Ravidas Madhya Pradesh Hasthshilp Evam Hathkargha Vikas Nigan Limited, Bhopal, MP & Vikas Bunkar Sahkari Samiti Maryadit, Balaghat, MP **(Waraseoni Handloom Saree & Fabrics)**	Communication in process
19.	Sant Ravidas Madhya Pradesh Hasthshilp Evam Hathkargha Vikas Nigan Limited, Bhopal, MP & Bhedaghat Stone Craft Producer Company Limited, Jabalpur, MP **(Jabalpur Stone Craft)**	• J K Marble Handicraft, Jabalpur MP • Communication in process

- Area of Research – Madhya Pradesh

f. Data Analysis: - Collected data of the study will be entered in Statistical Package in Social Sciences (SPSS) and will be analysed by using MS-Excel and MS-Word. The analysed data will be presented in the form of tables and graphs.

EXPECTED OUTCOME OF THE PROPOSED WORK

The findings of the proposed study will help the legislature to formulate a better GI legal mechanism which ultimately benefit the producers of GI products in better monitoring system, prospective GI right holders with easy registration procedure and procuring the consumer rights. The researcher will suggest a model of post-GI monitoring structure and also address the challenges faced by producers particularly of MP. Hence, the researcher through this research will find the practical and effective solutions for the above problems.

BIBLOGRAPHY

Statutes: -

1. Constitution of India, 1950 (India)
2. The Copyright Act, 1957, No. 14, Act of Parliament, 1957 (India)
3. The Designs Act, 2000, No. 16, Act of Parliament, 2000 (India)
4. The Geographical Indications of Goods (Registration and Protection) Act, 1999, No. 48, Act of Parliament, 1999 (India)
5. The Patent Act, 1970, No. 39, Act of Parliament, 1970 (India)
6. The Trade Marks Act, 1999, No. 47, Act of Parliament, 1999 (India)

Books: -

1. 2 Raghbir Singh, Law Relating to Intellectual Property Rights (Universal Law Publishing Co. Pvt. Ltd., 2nd ed., 2008)
2. Anu Kapur, Made Only in India: Goods with Geographical Indication (Roultage India, 1st ed., 2017)
3. Avtar Singh, Business Law (Eastern Book Company, Lucknow, 10th ed., 2014)
4. Avtar Singh and Harpreet, Introduction to Labour and Industrial Law (Eastern Book Company, Lucknow, 3rd ed., 2015)
5. B. L. Wadera, Law Relating to Patents, Trademark, Copyright, Designs, Geographical Indications (Universal Law Publishing Co. Pvt. Ltd. 2003)
6. Elizabeth Verkey, Law of Patents (Eastern Book Company,1st ed., 2005)
7. H. O. Agrawal, International Law and Human Rights (Central Law Publication, 19th ed., 2013)
8. J. P. Mishra, An Introduction to Intellectual Property Rights (Central Law Publication 2005)
9. Lionel Benty and Brad Sherman, Intellectual Property Law (Oxford University Press, 1st Indian ed., 2003)
10. Neeraj Pandey, Khusdeep Dharni, Intellectual Property Rights (PHI Private Limited, Delhi, 1st ed., 2014)
11. Nidhi Buch and Hetvi Trivedi, Geographical Indication of Indian Handloom (Routledge India, 1st December 31, 2021)
12. R. K. Nagarajan, Intellectual Property Law (Allahabad Law Agency, 3rd ed., 2007)

13. R. G. Chaturvedi and Sanjay Upadhyay, Law Relating to Intellectual Property Rights (Universal Law Publishing Co. Pvt. Ltd., 6th ed., 2008)
14. S. R. Myneni, Law of Intellectual Property (Asia Law House, Hyderabad, 2nd ed., 2003)
15. T. Ramappa, Intellectual Property Rights Law in India *(*Asia Law House, 1st ed., 2010)
16. W.R. Cornish, Cases and Materials on Intellectual Property (Universal Law Publishing Co. Pvt. Ltd., 2nd Indian ed., 2004)

Online Sources & Websites: -

1. Binay Singh, *This Rajni Kant has brought a GI revolution to handicraft*, Times of India (Sept. 14, 2022, 07:55 IST), https://timesofindia.indiatimes.com
2. Bloomsburg University Pennsylvania, Harvey A. Andruss Library guides.library.bloomu.edu/litreview https://johnson.library.cornell.edu (last visited Aug. 25, 2022)
3. Digital Commons, https://digitalcommons.unl.edu/libphilprac/5078?utm_source=digitalcommons.unl.edu%2Flibphilprac%2F5078&utm_medium=PDF&utm_campaign=PDFCoverPages, (last visited Sept. 21, 2023)
4. Geographical Indications Registry, https://search.ipindia.gov.in/GIRPublic (last visited Nov. 28, 2023)
5. ICSI, https://www.icsi.edu (last visited on Oct. 30, 2023)
6. Indian Express, https://www.newindianexpress.com/states/tamil-nadu/2022/mar/31/gi-tagging-india-among-countries-having-least-number-of-tagged-products-2436291.html (Last visited on 22 August, 2022)
7. Intellectual Property India, https://search.ipindia.gov.in (last visited Nov.25, 2023)
8. GMGC, https://gmgc.co.in/prof-ganesh-hingmire/ (last visited on Nov. 30, 2023)
9. Mara Giua, "Geographical Indications and Local Development: the strengths of territorial embeddedness," Taylor & Fransis Online, https://www.tandfonline.com/doi/full/10.1080/00343404.2021.1946499
10. Mondaq, Case Study: Tea Board Of India vs. ITC Ltd. - Trademark - India (mondaq.com) (Last visited on 22 August, 2022)
11. Rajiv M. Patel and Mr. Lavji N. Zala, "*Geographical Indication in India: Present Scenario"*, Digital Commons, https://digitalcommons.unl.edu

12. The Hindu, https://www.thehindu.com/opinion/op-ed/locked-out-without-a-gi-tag/article62112320.ece (Last visited on 30 August, 2022)
13. WIPO, www.wipo.int, (last visited on 25 September, 2022)
14. WTO, https://www.wto.org/english/tratop_e/trips_e/ta_docs_e/modules4_e.pdf, (last visited on 25 September, 2022)
15. WIPO, https://www.wipo.int/geo_indications/en/, (last visited on 25 September, 2022)
16. Vogue India, https://www.vogue.in/culture-and-living/content/padma-shri-awardee-durgabai-vyam-sees-the-world-in-stories-folk-art-gond (last visited on Oct. 31, 2023)
17. Z. O'Leary, The Essential Guide to Doing Research (London, Sage, 2004) P- 78, http://www.ru.ac.bd/wp-content/uploads/sites/25/2019/03/402_06_00_O%E2%80%99Leary-The-Essential-Guide-to-Doing-Your-Research-Project-2017.pdf (Last visited on 22 August 2022)

Other Study Materials (Online): -

1. Ashwini Kumar, *Economic benefits of Geographical Indications*, PhD – 2019, Banaras Hindu University (Faculty of Law), available at: http://hdl.handle.net/10603/383943
2. Indra G. Naik, *Legal Protection of Geographical Indications: A Study relating to the prevailing rules and their enforcement in Karnataka*, PhD – 2014, Bangalore University (Department of Law) available at: http://hdl.handle.net/10603/148592
3. Rajendra Mohan Gonela, *Geographical Indications- Law and Policy perspective: A Case Study with reference to Andra Pradesh*, PhD – 2011, Acharya Nagarjuna University (P.G. Department of Legal Studies & Research), Andra Pradesh, available at: http://hdl.handle.net/10603/123447
4. Smita Sarmah, *Role of Geographical Indication in Securing Rights of the Indigenous Peoples in Assam- An Analytical Study*, PhD- 2017, Gauhati University, available at: http://hdl.handle.net/10603/224897

Research Papers: -

1. A. Bouet, C. Emlinger & V. Lamani, *What determines Exports of Luxury Products? The Case of Cognac*, 12:1 JWE. 37-58 (2017)
2. A. Roy, *Recent developments in law reform and Indigenous culture and Intellectual Property in Australia*, 31(1) EIPRI (2009)

3. Akshit Prajapati & Anam Khan, *Commercializing Intellectual Property Rights & Significance of Competition Laws*, 1 NLUA JIPR, 166-185 (2022)
4. Amir H. Khoury, *Brands as Food for Thought: The Case for Regulating Food Brands*, 9 IJIPR (2018)
5. Anna Bashir, *Protection of Geographical Indications Products from Different States in India*, 25 JIPR, 74-79 (2020)
6. Aruna Bashir, *Protection of Geographical Indications Products from Different Status of India*, 25 JIPR, 74-79 (2020)
7. Ashmika Agrawal & Paramita Chaudhury, *TRIPS- Plus Regulations in Bilateral and Statewide Trade Agreements: Their bearing on Intellectual Property Rights and International Trade*, 1 AJIPL (2023)
8. B. Adi, *Intellectual Property Rights in Biotechnology and the fate of poor farmers' agriculture*, 9 Journal of World Intellectual Property, 91-112 (2006)
9. Banashree Roy & Nisha Sarma, *Understanding the importance of Intellectual Property for Content Creators and Social Media Influencers*, 2 NLUA JIPR, online (2022)
10. Bernard O Conner, *Protecting Traditional Knowledge: An Overview of a Developing Area of Intellectual Property*, 6 Journal of World Intellectual Property (2003)
11. Colantone C. Altomote & E. Pennings, *Hetrogeneous firms and Asymmetric Product Differentiation*, 64 JIE, 835-874 (2016)
12. Chuthaporn Ngokkuen & Ulrike Grote, *Challenges and Opportunities for protecting Geographical Indications in Thailand*, 12(2) Asia-Pacific Development Journal, 93-123 (2012)
13. Daphne Zografos, *Geographical Indications and Socio-economic Development*, 3 WP (2008)
14. F. Addor & A. Grazioli, *Geographical Indications beyond Wines and Spirits: A road map for the better protection of Geographical Indications in the WTO/TRIPS Agreement*, 5 Journal of World Intellectual Property, 865-897 (2002)
15. G. Belletti & A. Marescotti, *Geographical Indications. Public goods and Sustainable Decvelopment: The Role of actors' strategies and public policies*, 98 World Development, 45-57 (2017)
16. G.C. Delgando, *Biopiracy and Intellectual Property as the basis for Biotechnological Development in the case of Mexico*, 16 (2) IJPCS, 297-318 (2002)

17. J Aditya Reddy & Siladitya Chatterjee, *A Critique of the Indian Law and Approach towards Protection of Geographical Indications with special reference to Genericide*, 12 JIPR, 553-573 (2007)
18. Kariyanna K.S, *A Study on Geographical Indications as a Tool of protection of Traditional Knowledge*, 8 (5) IJIRT, 298 (2021)
19. Kasturi Das, *Protection of Geographical Indications: An Overview of Select Issues with special reference to India*, CENTAD (2006)
20. Kausar Unnisa, *Intellectual Property Rights and its significance for Business*, IJCRT, 562-566 (2022)
21. Keith E Maskus & Jerome H Reichman, *The Globalisation of Private Knowledge Goods and the Privatization of Global Public Goods*, 7(2) Journal of Int. Economic Law, 279 (2004)
22. Kundan Kishore, *Geographical Indications in Horticulture: An Indian Perspective*, 23 JIPR, 159-166 (2018)
23. Kuruvila M Jacob & Nidhi Kulkarni, *Non-Conventional Trademarks: Has India Secured an Equal Footing*, 9 IJIPR (2018)
24. L. R. Nair & Rajendra Kumar, *Geographical Indications – A Search for Identity*, 1 Butterworth New Delhi, 29 (2005)
25. Lalit Jajpura, Bhupinder Singh & Rajkishore Nayak, *An Introduction to Intellectual Property Rights and their Importance in Indian Context*, 22 JIPR, 32-41 (2017)
26. Lisa P Lukose, *Rationale and Prospects of the Protection of Geographical Indications: An Inquiry*, 12 JIPR, 212-223 (2007)
27. Lovish Garg, *Trademarking Religion – Examining the Judicial Conundrum of Section 9(2)(b) of Indian Trademark Act*, 9 IJIPR (2018)
28. Marja Zattoni Milano & Ademir Antonio Cazella, *Environmental effect of geographical indications and their influential factors: A review of the empirical evidence*, 3 Science Direct (2021)
29. Mohammad Towhidul Islam, *TRIPS Ageement and Economic Development: Implications and Challenges for least- Developed Countries like Bangladesh*, 2 NJCL (2010)
30. Narasimhulu Eppe, Hindustan Abdul Ahad, Guru Sai Suresh Babu D, Chinthaginjala Haranath & Manoj Kumar Reddy, *Need of Intellectual Property Rights in India and other developing countries: A Novel Approach for Global Recognition and Economic Development*, 5 NJAR, 16-20 (2019)

31. Naresh Kumar Vats, *Geographical Indication – The Factors of Rural Development and Strengthening Economy*, 21 JIPR, 347-354 (2016)
32. P Nelson, *Information and Consumer Behaviour*, 78 Journal of Political Economy, 311-329 (1970)
33. Parag Shil & Suchismita Das, *Indian Tea Industry in the Context of Intellectual Property Rights (IPR) and Geographical Indications (GI),* 1 APJMMR (2012)
34. Pooja Aggarwal, *Emerging Trends of Intellectual Property Rights in the Context of Entrepreneurship in India*, 2 UIJIR (2021)
35. Pooja Aggarwal, *New Dimensions of Entrepreneurship in Terms of Intellectual Property Policy in India*, 9 GIIRJ, 265-269 (2021)
36. Pooja Aggarwal, *A Study of the Impact of Geographical Indications in Indian Context: An Acceleration to Vocal for Local*, 8 EPRA IJMR, 63-73 (2022)
37. Rai Wierma Putri, Yunita Maya Putri & Dorothy R. H. Pandjaitan, *Challenges of Geographical Indication in Indonesia: A Study from Lampung Province*, ASSEHR, 870-883 (2023)
38. Ravindra Singh, *Traditional Knowledge in North East India: A Perfect Case for Sui Generis Legislation*, 1 NLUA JIPR, 186-200 (2022)
39. Riccardo Crescenzi, Fabrizio De Filippis, Mara Giua & Cristina Vaquero Pinerio, *Geographical Indications and local development: The Strength of Territorial Embeddedness*, 56:3 Journal of the Regional Studies Association, 381-393 (2022)
40. S. Bowen & A. V. Zapata, *Geographical Indications, Terroir, and Socioeconomic and Ecological Sustainability: The case of Tequila*, 25(1) JRS, 108-119 (2009)
41. S. Jain, *Effects of the Extension of Geographical Indications: A South Asian Perspective*, 16 Asia-Pacific Development Journal, 65-86 (2009)
42. S.K. Soam, *Analysis of Prospective Geographical Indications in India,* 8(5) JWIP 670 (2005)
43. S.Yuvasri & N. Yamuna, *GI and Impact on Agriculture*, 1 NLUA JIPR, 136-152 (2022)
44. Sachin Mangal, *Intellectual Property Rights: Indian Scenario*, 4 JBA Online (2015)
45. Sai Deepak, *Protection of Traditional Handicrafts under Indian Intellectual Property Laws, 13 Journal of Intellectual Property Rights*, 197-207 (2008)
46. Samyukta Ramaswamy & Sanjana Banerjee, *For the Borderless Digital Market: Resolving the Conflict Between Geo-Blocking and Free Access to Services in the European Union*, 9 IJIPR (2018)

47. Sanjiv Singh Bhadauria, *Geographical Indications: A Case Study of Chanderi Sarees*, IJCRT, 852-853 (2018)
48. Shambhu Prasad Chakraborty & Abhishek Rodricks, *Protection of Traditional Knowledge in India by sui generis laws of Geographical Indications and The Protection of Traditional Knowledge Bill*, 2022, 13 (2) IJLJ,114-127 (2022)
49. Shamnad Basheer & Mrinalini Kochupillai, *Trips, Patents and Parallel Imports in India: A Proposal for Amendment*, 9 IJIPR (2018)
50. Shilpa Rathod, *Challenges posing to Geographical Indications in India*, 1 IPR Journal (2023)
51. Shashikant B Bagade & Deven B Metha, *Geographical Indications in India: Hitherto and Challenges,* 5(2) RJPBCS, 1225-1239 (2014)
52. Srividhya Ragavan, *Sean Flynn & Brook Baker, Justifying India's Patent Position to the United States International Trade Commission and Office of the United States Trade Representative*, 9 IJIPR (2018)
53. Sudhir Ravindran and Arya Mathew, *The Protection of Geographical Indication in India – Case Study on "Darjeeling Tea"* (2008)
54. Sujit Kumar Yadav, R.C. Chaudhary & Anjali Sahani, *Geographical Indications and Registration for it in Uttar Pradesh, India: Present and Future Potential,* 5 IJRAS, 2348-3997 (2018)
55. Surbhi Jain, *Effects of the Extension of Geographical Indications: A South Asian Perspective*, 16 APDJ, 65-86 (2009)
56. Suresh Srivastava, *Geographical Indications and legal framework in India*, Economic and Political Weekly, 4022-4033 (2003)
57. T. W. Dang, *The Application of Intellectual Property Rights to biodiversity resources: A Technique for the South Countries to maintain control over the Biodiversity resource in their territories*, 17(1) AJICL (2009)
58. Tarun Krishnakumar, *All your Intellectual Property are Belong to us: How Copyright and Patent 'Trolls' are Questioning the Jurisprudential Foundations of Treating Intellectual Property as 'Property,'* 9 IJIPR (2018)
59. Tayebeh Saheb, *Swing Ownership of Academic Inventions (A Model Based on the Concept of Justice with reference to Iranian Legal System),* 9 IJIPR (2018)
60. U. Grote, *Environmental Labelling, protected Geographical Indications and the interest of Developing Countries,* 10 ECJILT, 94-110 (2009)

61. V. K. Ahuja, *Protection of Geographical Indications – National and International Perspective*, 46 JILJ (2004)
62. Yashna Walia & Shreya Kumar, *The Success, and failures of GI Tag in India: A Critical Analysis*, 1 E-Journal of Academic Innovations and Research in Intellectual Property Assets (2020)

Newspapers: -

1. The Hindu (Dec. 4, 2021), *'Locked out, without a GI tag'*, (last visited Nov. 12, 2023) https://www.thehindu.com/opinion/op-ed/locked-out-without-a-gi-tag/article
2. The Indian Express (March 31, 2022), 'GI tagging: India among countries having least number of tagged products', (last visited Nov. 29, 2023) https://www.newindianexpress.com/states/tamil-nadu/2022/mar/31/gi-tagging-india-among-countries-having-least-number-of-tagged-products-2436291.html

Date: - _____

(Poorva Jain)
Research Scholar
Department of Law
Dr. Harisingh Gour Vishwavidyalaya
Sagar, M.P.

(Dr. Anupama Pandit Saxena)
Supervisor
Assistant Professor
Department of Law
Dr. Harisingh Gour Vishwavidyalaya
Sagar, M.P.